

ADDENDUM TO REVISED ORDER FOR THE RESUMPTION OF JURY TRIALS  
CLERK SUPERIOR COURT IN THE TALLAPOOSA JUDICIAL CIRCUIT  
POLK COUNTY, GA.  
STATE OF GEORGIA

FILED & RECORDED  
CLERK OF SUPERIOR COURT  
POLK COUNTY, GA

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Amy R. [Signature]  
CLERK OF  
SUPERIOR COURT

The Court issued an Order for the Resumption of Jury Trials on March 23, 2021, and a Revised Order on April 13, 2021, setting forth the guidelines and local protocol that will be followed in the Tallapoosa Judicial Circuit for resuming jury trials in accordance with public health guidance during the ongoing COVID pandemic and in accordance with the Statewide Judicial Emergency Orders of the Georgia Supreme Court.

The Court now issues this Addendum setting forth additional guidelines and authorizing the use of additional facilities in Polk County when such facilities have been approved by resolution of the Polk County Commission pursuant to OCGA 15-6-18 and when the facilities have been satisfactorily reconfigured and equipped for the purposes described herein. This Addendum should be read in conjunction with the Revised Order, and any conflict between them is controlled by this Addendum.

Jury Assembly in Polk County

In addition to the main courtroom in Courthouse #1, each judge of the Superior Court of the Tallapoosa Circuit may use the Cedartown Civic Auditorium at 205 East Avenue, Cedartown, Georgia, as a jury assembly room. If a judge elects to use the Civic Auditorium, the Clerk of Court will issue jury summons instructing all persons summoned for jury duty for cases pending before that judge to report to the Civic Auditorium on a date certain. The prospective jurors will be screened at the door by security and will be asked about symptoms and possible exposure to COVID, in the same way persons are screened now at the courthouse. Upon entering the Auditorium, all persons will be instructed to stay socially distanced and will be seated in compliance with public health guidance. The presiding judge, with the assistance of the Clerk, will then address any requests for excusals or deferments and otherwise ensure that all prospective jurors are legally qualified for jury service. At the conclusion of the jury assembly process, the presiding judge will instruct the prospective jurors of the date and time they are required to appear at the main courtroom of Courthouse #1 for jury selection.

Jury Deliberation Room for Courthouse #1 in Polk County

The law library will be used as the jury deliberation room for all trials conducted in the main courtroom of Courthouse #1 in Polk County. Preparations are now being made to reconfigure the law library for this purpose and the county commission has advised the Court that this work will be completed no later than June 1, 2021. All books and bookshelves will be temporarily relocated, the furniture will be rearranged to allow for social distancing, hand sanitizer will be placed in the room, and the doors to all adjoining rooms will be locked to prevent access by others while the jury is using the space. The bathrooms that are across the hall and down the hall

from the law library will be available for use by the jurors. During trials, these bathrooms will not be open to any person who is not serving on the jury. In addition, the bailiffs will be instructed to keep the hallway clear of all other people and to escort the jurors to the door of the bathrooms, so as to avoid any contact a juror might have with persons not serving on the jury. During deliberations, there will be two bailiffs assigned to the jury: one to remain outside the deliberation room at all times and one to keep the hallways clear and quiet and to escort any juror to a bathroom.

#### Non-Jury Hearings Allowed in Other Courtrooms in Polk County

When jury trials are being conducted in Polk County, no other court may use the main courtroom in Courthouse #1; however, other judges and courts will be permitted to use the small hearing room known as Courtroom 101 on the main floor of Courthouse #1 to conduct non-jury hearings. Other judges and courts will also be permitted to use the hearing room upstairs in Courthouse #2 to conduct non-jury matters. The courtroom downstairs in Courthouse #2 is reserved for the public to view a live stream of jury trials; however, it may be used by other courts and judges when no jury trials are taking place.


#### Additional Site for Jury Trials in Polk County

In addition to using the main courtroom in Courthouse #1, preparations are now being made to use the county commission meeting room at 73 Clines Ingram Jackson Road, Cedartown, Georgia, as a site for jury trials. This will allow trials to be conducted simultaneously at both locations. Attached to this Addendum is a report that outlines the steps that need to be taken to prepare this space to be used for jury trials. The county commission has advised the Court that this work should be completed no later than June 1, 2021. As soon as these preparations are completed and the county has passed a resolution pursuant to OCGA 15-6-18, the Court will authorize jury trials to be held at this location and will issue further guidance on the safety precautions that will be in place when jury trials are conducted at this site.

#### Livestream of Jury Trials from Offsite Location in Polk County

If and when jury trials are conducted at the county commission meeting room, the public will be able to view such trials by way of live stream which will be set up in the downstairs courtroom in Courthouse #2. The courtroom will be equipped with large TV monitors and a sound system that will allow any member of the public to watch the trials in real time as they take place.

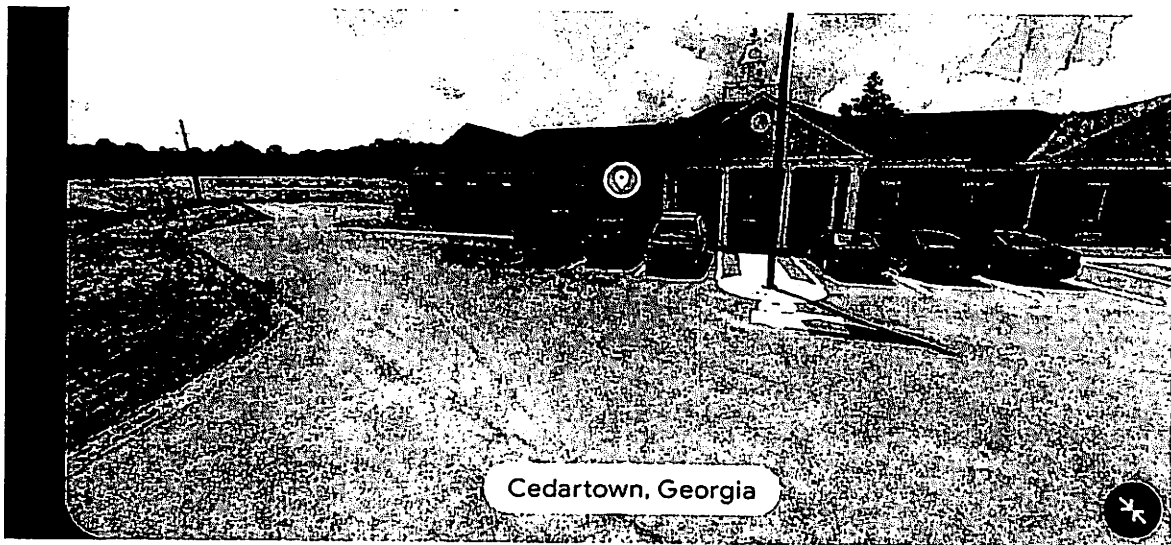
SO ORDERED, this 11<sup>th</sup> day of May, 2021.

  
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HONORABLE MENG H. LIM  
CHIEF JUDGE, SUPERIOR COURTS  
TALLAPOOSA JUDICIAL CIRCUIT

FILED & RECORDED  
CLERK OF SUPERIOR COURT  
TALLAPOOSA COUNTY, GA.  
MAY 11 11 31 19  
STACIE H. DANES, CLERK

Polk County Commission Meeting Room  
73 Clines Ingram Jackson Road  
Cedartown, GA 30125  
Approx. 3 miles from the Main Courthouse

The commission meeting room is in the same building as the Polk County Police Department. Here is a photo of the building. The meeting room is on the far left side and has a separate entrance from the rest of the building. It has a handicap ramp. There is a designated parking area near that entrance, and it seems to have enough parking spaces for 14 jurors and the court personnel that would be needed for a jury trial. The parking spaces out front could also be used. We would need to avoid the parking spaces around the back of the building, as those spaces appear to be used by patrol cars. A picture of that area is also included.



Here is a photo of the interior of the meeting room.



The interior of the meeting room is large enough to seat 14 jurors, socially distanced at 6 feet apart. There would not be enough room for any members of the public to be present. The front of the room has a long, wooden dais, similar to the bench where the judge, clerk, and witness sit in our main courtroom. Each chair on the dais has a microphone, so the jurors could hear the judge and witnesses without difficulty. The jurors would all have an unobstructed view of the dais. There is no plexiglass on the dais like there is on the judge's bench in the main courtroom. This could be remedied by installing plexiglass across the entire dais or at least in front of the witness chair. There is also nothing separating the judge from the witness, which could present a safety issue. This could be remedied by constructing a plexiglass barrier between the witness chair and the judge's chair. Or we could have a deputy seated behind the dais to insure the safety of the judge.

There is sufficient space for two 6-foot counsel tables, one for the prosecutor and one for defense counsel and the defendant. We could set up these tables just in front of the dais, facing each

other, and they would be well over 6 feet apart. We would need to acquire or borrow these tables from somewhere and put them in place in the room. We would also need chairs for these tables.

There is a small conference room attached to the meeting room area. It has a door that closes, and it has a conference table and chairs in it. It is not large enough to use as a jury deliberation room; however, it could be used for bench conferences between the lawyers and the judge, as long as the court reporters could move their equipment quickly back and forth. We checked the sound levels between the main meeting room and this small conference room, and the sound does carry through the door and walls. So, we would need to set up some kind of white noise that would play while the lawyers and judge are having any bench conference. Otherwise, there is a real possibility that the jurors could overhear what is being said at the bench conference.

There are two bathrooms in the meeting room area and both are clean, well maintained and have hot water. They are also handicap accessible. We should add hand sanitizers in each bathroom.

The room is air conditioned. We did not ask about the air filter, so this is unknown. The room has several windows that open, so we could get fresh air if desired. Several of the overhead light bulbs are not working, so they would need to be replaced.

Security for the meeting room would be provided by deputies at the entrance. There is not a place to set up a metal detector conveyor belt like at the main courthouse; however, the deputies could use a hand-held wand. It might be better to do this on the landing before people enter the room. As part of the security check, the deputies could take temperatures and ask the standard COVID questions. There is a freestanding hand sanitizer station at the entrance.

The meeting room has a sound system that picks up all the microphones on the dais, as well as a microphone on a freestanding lecturn. The lawyers may or may not want to use the lecturn, as it might block the view of some jurors. If the lecturn is not used, the lawyers could stand at counsel table while they question each witness and address the judge.

There is no video system in the meeting room, so we would need to add TV monitors. We suggest 2 large monitors (60-inch) be mounted on the wall behind the dais, and 2 more large monitors (40-inch) that would be mounted on the walls on each side of the room, on brackets so they could swing out. This would allow jurors who are seated in the back of the room to see. All the TV monitors would need to be connected to the sound system. They would also need to be connected to an Elmo, which is used to display documents to the jury. We have an Elmo in Courthouse #2 which could be moved to the meeting room and set up at the far end of the dais. We would also need connections at each counsel table, so that the lawyers could hook their laptops to the TV monitors and sound system. We should test this before we start any trials.

There is internet access in the meeting room, both Wi-Fi and hard wired. We would need to use this to live stream the proceedings to another location to meet the legal requirements of public access to court proceedings. We need a laptop, camera or other ability to livestream. We could

stream it to the small courtroom in Courthouse #2; however, we would need to make sure there are working monitors in that small courtroom and it would have to be open to the public.

For a jury deliberation room, the county has offered to rent a modular unit that could be set up just outside the meeting room. These modular units come in different sizes and are air conditioned and have at least one bathroom in them. We would need one that is 30' x 30' in size in order to keep the jurors socially distanced. We measured the area just outside the entrance to the meeting room, and it appears that there is sufficient space to do this. There are also water and power hookups. The modular unit would have a ramp that leads from the landing of the main entrance and goes to the door of the unit. The county would need to put this in place and make adjustments to the railing that is now on the main entrance landing.

There are several police identifying features of the building that would need to be remediated. The large sign in the front of the building that says "Polk County Police Department" would need to be covered with a tarp. The presence of police cars should also be addressed. There were not many police cars when we visited, but we need to know how many there usually are. The parking area for police cars is just past the entrance to the meeting room, and it might be a problem for jurors to see multiple police vehicles every time they enter and exit the building. Also, the police gun range is nearby and we could hear the sound of gun fire during our tour. This would need to be stopped during any trial.

The county commissioners would need to find another location for any commission meetings while the room was being used for jury trials.

We would need to identify who has keys and other access to the meeting room and make sure the room stays off limits and is secure during jury trials.

**If we use this venue for jury trials, here is the list of items that need to be fixed, remedied and put in place before we begin the trials:**

- 1. Construct plexiglass barrier on the dais to separate the judge from the witness**
- 2. Install plexiglass on the entire dais, or at least in front of the witness seat**
- 3. Acquire suitable counsel tables (x2) and chairs (x4)**
- 4. Set up white noise machine**
- 5. Replace lightbulbs in overhead lights**
- 6. Install video system; 60-inch monitors (x2) mounted on wall behind dais and 40-inch monitors (x2) mounted on side walls with brackets that swing out**
- 7. Connect sound system to all TV monitors**
- 8. Connect Elmo to all TV monitors**
- 9. Provide video & sound connections & power to each counsel table**
- 10. Install camera & computer set up to live stream proceedings to another location**
- 11. Insure working monitors & internet access at other location to receive live stream**
- 12. Insure public access at other location to watch live stream**

- 13. Modular unit 30' x 30' set up next to meeting room for jury deliberations**
- 14. Ramp connecting modular unit to meeting room entrance**
- 15. Reconfigure hand railing on entrance landing to access ramp to modular unit**
- 16. Cover police department signage**
- 17. Close the gun range during jury trials**
- 18. Get county commissioners to agree to meet elsewhere during jury trials**
- 19. Get keys to meeting room & make sure it is secure from access by anyone else**
- 20. Set up all chairs and tables at socially distanced configuration**

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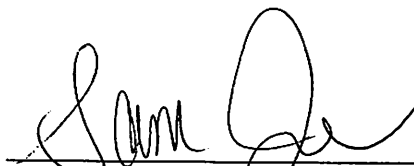
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This 11th Day of May, 2021.

  
Samantha Johnson,  
Assistant to Chief Judge Meng Lim